

**TOWN PLAN AND ZONING COMMISSION
REGULAR MEETING - WEDNESDAY, JULY 8, 2015 – LEGISLATIVE CHAMBER,
ROOM 314, TOWN HALL, WEST HARTFORD, CT 06107**

MINUTES

CALL TO ORDER/ROLL CALL: 7:00 P.M.

ATTENDANCE: Kevin Prestage, Chair; Commissioners: Paul Freeman and Kevin Ahern.
Alternate: John O'Donnell; Todd Dumais, Town Planner/TPZ Secretary;
Catherine Dorau, Associate Planner; Patrick Alair, Deputy Corporation
Counsel

ABSENT: Vice Chair: Michele Maresca; Michael Seder, Commissioner; Alternates: Liz
Gillette and Mishone Donelson.

ADJOURNMENT: Motion/Ahern; Second/Freeman (4-0). Meeting adjourned at 11:00 PM

MATTERS FOR PUBLIC HEARING SHALL BE CALLED AT 7:15 P.M.

MINUTES:

Approval of Minutes:

- a. Minutes of the Regular Meeting, Monday, June 1, 2015. *Table to August 3, 2015.*

COMMUNICATIONS:

TPZ November Meeting Date Change - Communication from the Town Planner requesting to change the regular scheduled TPZ meeting on Wednesday, November 4 to Thursday, November 5 due a scheduling conflict and lack of room availability. Motion to accept. *Motion to accept. Motion/Ahern; Second/Freeman (O'Donnell seated for Maresca) (Vote: 4-0).*

47 Brookside Road – Application (IWW#946-R2-14) Communication from Michael Cegan, applicant's Landscape Architect, requesting approval to modify wetlands application #946-R2-14, pursuant to Section 11.6 of the Inland Wetlands and Watercourses Regulations. *Motion to determine that the proposed plan modification does not require the filing of a new application. Motion/Ahern; Second/Freeman (O'Donnell seated for Maresca) (Vote: 4-0).*

NEW BUSINESS:

1855 Albany Avenue – Application (SUP #1277) of Cellco Partnership dba Verizon Wireless (Kenneth Baldwin, Esq.) seeking a Special Use Permit to authorize the installation of six (6) antennas inside a new Calvary Church steeple and construct a 12'x30' equipment shelter near the southeast corner of the Church building. (Submitted for TPZ receipt on July 8, 2015. Suggest required public hearing be scheduled for August 3, 2015.)

After a brief review of the application and its related exhibits and after consideration of staff technical comments, the TPZ acted by **unanimous vote (4 - 0)** (Motion/Ahern; Second/Freeman/ (O'Donnell seated for Maresca) to schedule this matter for public hearing on Monday, August 3, 2015 at 7:15 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.

567 Fern Street - Application (SUP #1278) of West Hartford Youth Baseball (Marc Blanchard, Contact, Town of West Hartford Leisure Services) seeking a Special Use Permit to authorize the installation of a 9'x 7.5' scoreboard at the Fernridge Park baseball field. (Submitted for TPZ receipt on July 8, 2015. Suggest required public hearing be scheduled for August 3, 2015.)

After a brief review of the application and its related exhibits and after consideration of staff technical comments, the TPZ acted by **unanimous vote (4-0)** (Motion/O'Donnell; Second/Ahern) (O'Donnell seated for Maresca) to schedule this matter for public hearing on Monday, August 3, 2015 at 7:15 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.

847 South Quaker Lane - Application (SUP #1279) of West Hartford Youth Baseball (Marc Blanchard, Contact, Town of West Hartford Leisure Services) seeking a Special Use Permit to authorize the installation of a 9'x 7.5' scoreboard at the Beachland Park baseball field. (Submitted for TPZ receipt on July 8, 2015. Suggest required public hearing be scheduled for August 3, 2015.)

After a brief review of the application and its related exhibits and after consideration of staff technical comments, the TPZ acted by **unanimous vote (4-0)** (Motion/O'Donnell; Second/Freeman) (O'Donnell seated for Maresca) to schedule this matter for public hearing on Monday, August 3, 2015 at 7:15 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.

612-620 New Park Avenue – Application (IWW #1035) of the West Hartford Housing Corporation (Joel Rottman, Contact) requesting approval to conduct certain regulated activities which may have an adverse impact on a wetland and watercourse area. The applicant proposes to construct a 4-story mixed-use residential building with fifty-four (54) residential units and approximately 3,300 sf of retail space along with associated site improvements. (Submitted for IWWA receipt on July 8, 2015. Presented for determination of significance.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, the IWWA acted by **unanimous vote (4-0)** (Motion/Freeman; Second/Ahern) (O'Donnell seated for Maresca) to find the proposed regulated activity to be **NON-SIGNIFICANT**. The IWWA directed that the wetland permit be issued subject to full compliance with Town Erosion and Sedimentation Control requirements.

612-620 New Park Avenue – Request of the West Hartford Housing Corporation for a temporary waiver of twenty-two (22) parking spaces associated with a proposed mixed use, transit oriented development. Per Section 177-32H, Temporary Waiver of Parking Facility Installation of the West Hartford Zoning Ordinance, the Commission is “authorized to waive the immediate installation of up to ½ of the parking requirement for any proposed land use if, upon application and submission, in the Commission’s opinion, sufficient evidence as to the reasonableness of the application was shown and the reduced parking supply will adequately serve the layout.” (Submitted for TPZ receipt on July 8, 2015. Suggest public hearing be scheduled for August 3, 2015.)

After a detailed application and its related exhibits and after consideration of staff technical comments, the TPZ acted by **unanimous vote (4-0)** (Motion/Ahern; Second/Freeman) (O’Donnell seated for Maresca) to **CONDITIONALLY APPROVE** the subject application.

During its deliberations on this matter, the Commission made the following findings and conditions:

1. The temporary waiver of the twenty-two (22) parking spaces as proposed by the applicant is subject to Section 177-32H Temporary Waiver of Parking Facility Installation of the West Hartford Zoning Ordinances.
2. The draft declaration titled “Declaration Regarding Temporary Waiver of Parking Facility Installation” shall be submitted for final review to the Town Planner and Deputy Corporation Counsel prior to execution and filing.

2523 Albany Avenue and 333 North Main Street - Application (SUP #1233-R1-15) of EDENS (Robin Messier Pearson, Attorney) requesting TPZ review of compliance with the conditions of SUP #1233 approved on July 1, 2013 for two (2) outdoor dining areas; a thirty five (35) seat outdoor dining area for Noodles & Company and a sixty (60) seat outdoor dining area for Blue Plate Kitchen. Per Sections 177-37.2 & 42 of the West Hartford Zoning Ordinance, the applicant also seeks to eliminate condition #22 of the original approval requiring the removal of the fencing at the end of the outdoor dining season. (Submitted for TPZ receipt on July 8, 2015. Suggest required public hearing be scheduled for August 3, 2015.)

After a brief review of the application and its related exhibits and after consideration of staff technical comments, the TPZ acted by **unanimous vote (4-0)** (Motion/Ahern; Second/O’Donnell) (O’Donnell seated for Maresca) to schedule this matter for public hearing on Monday, August 3, 2015 at 7:15 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.

OLD BUSINESS SCHEDULED FOR PUBLIC HEARING AND DECISION ON JULY 8, 2015:

171 Still Road– Application (IWW #1034) of Jonathan Hochman (owner) requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities which may have an adverse impact on a wetland and watercourse area. The applicant proposes the construction of an approximately 920 s.f. in-ground pool and 700 s.f. patio. (Submitted for IWWA receipt on June 1,

2015. (Submitted for IWWA receipt on June 1, 2015. Determined to be potentially significant and set for public hearing on July 8, 2015.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, and the public hearing record the IWWA acted by **unanimous vote (4-0)** (Motion/Ahern; Second/Freeman) (O'Donnell seated for Maresca) to **CONDITIONALLY APPROVE** the proposed regulated activity and to direct that a wetland permit to be issued. During its discussion and deliberation on this matter, the Agency made the following findings:

171 STILL ROAD
INLAND WETLAND APPLICATION IWW #1034
COMPLIANCE WITH SECTION 10.2 and 10.4
STANDARDS AND CRITERIA FOR DECISION

The request to conduct certain regulated activities at 171 Still Road in West Hartford, Connecticut pursuant to an Inland Wetland and Watercourse application **IWW #1034** should be approved as the Standards and Criteria for Decision as set forth in the Inland Wetlands and Watercourses Regulations for the Town of West Hartford in Section 10.2 have been favorably met. During its discussions and deliberations on this matter, the agency made the following findings:

[1.] The environmental impact of the proposed regulated activity on wetlands or watercourses will not be so significant as to warrant the denial of this application.

[2.] The applicant's purpose for the proposed regulated activity is a valid and useful one which alternatives would cause less or no environmental impact to wetlands or watercourses;

[3.] The feasible and prudent alternatives to the proposed activity have been analyzed by the applicant and the proposed activity is likely to cause less or no environmental impact to wetlands or watercourses than those alternatives.

[4.] The short-term and long-term impacts of the proposed regulated activity on wetlands or watercourses are not to be so significant as to warrant denial of this application.

[5.] The long term productivity of the wetlands or watercourses will not be damaged by the approval of this application;

[6.] The proposed regulated activity will not cause irreversible and irretrievable loss of wetland or watercourse resources.

[7.] The proposed regulated activity neither threatens nor impacts the safety, health or reasonable use of property; and

[8.] The proposed regulated activity and future activities associated with or reasonably related to, the proposed regulated activities which are made inevitable by the proposed regulated activity will not have significant impacts on wetlands or watercourses outside the area for which the activity is proposed.

In addition the Agency considered measures which would mitigate the impact of the proposed activity and may be imposed as conditions of the permit. Such measures include the availability of further technical improvements or safeguards which could

feasibly be added to the plan or action to avoid the reduction of or damage to the wetland's or watercourses natural capacity to support desirable biological life, prevent flooding, supply water, control sedimentation and/or prevent erosion, assimilate wastes, facilitate drainage, and provide recreation and open space. The Agency renders its decision to issue this permit on the following considerations and criteria:

- A. That the natural functions and quality of water in local drainage systems both on and off-site shall be preserved and maintained.
- B. That the overall impact of this development on the environment will be kept to a minimum if the conditions imposed by this permit are carried out by the applicant.
- C. There are no reasonable and prudent alternatives which will allow the same activity to be carried out on the proposed site.
- D. During the period when this permit remains in force, the applicant and the Inland Wetland and Watercourses Agency will be working together in good faith to resolve any matters that may arise relative to the environmental impact on the community due to the activities of the applicant.

The Agency hereby authorizes the applicant to conduct a series of regulated activities on a parcel of land which falls under the jurisdiction of the Inland Wetlands and Watercourse Act of the Connecticut General Statutes and the Inland Wetlands and Watercourses Regulations of the Town of West Hartford. Said parcel of land is located **171 Still Road.**

This permit is issued and made subject to the following conditions:

- 1) Plans of record are incorporated by reference in this permit as fully set forth herein.
- 2.) The pool water drawdown discharge point shall be located and annotated on the final plans.
- 3.) All sedimentation and erosion control measures must meet or exceed specifications set forth in 2002 Connecticut Guidelines for Soil Erosion and Sediment Control, by the Connecticut Council on Soil and Water Conservation and DEEP. Notation to be placed on final plans.
- 4.) This IWWA permit approval shall be stripped onto the final set plan.

SPECIAL SITE DEVELOPMENT AND EROSION CONTROL CONDITIONS

An integral requirement of this approval is the early installation and construction of all drainage facilities, and all needed erosion and sedimentation control measures. Prior to the start of any construction, related to on-site improvements, site grading or unit construction, the applicant shall install the needed protective measures and shall continuously maintain such throughout the construction process. The requirement of Article VIII, at Section 177-60 through 177-67 of the Code of Ordinances related to Erosion and Sedimentation Control shall govern all site construction activity.

In addition to the above basic requirements, this permit is issued and made subject to the following conditions:

- 1) Site disturbance and/or removal of topsoil will not be permitted until the required siltation/erosion control measures have been installed. The applicant shall certify that all erosion and sedimentation controls have been installed according to the approved plan and contact the Town Planner for review and inspection.

- 2) Disturbed areas that will remain idle for extended periods shall be mulched or temporarily seeded for erosion control.
- 3) The top soil will be stockpiled only in an approved location and shall be contained by baled hay or screen filters which will be installed and maintained around the entire perimeter.
- 4) No unnecessary encroachments of construction equipment or vehicles shall be permitted in non-construction areas. Vehicular access to undisturbed areas of the site is restricted to the minimum necessary to complete erosion control and drainage systems.
- 5) In addition to the measures shown on the plans, additional erosion and sedimentation control measures shall be installed when determined necessary by the Director of Community Services, or his designee.
- 6) The permit shall expire if not exercised within two (2) years from the date of issuance, or date of final resolution of any legal action challenging this permit.
- 7) This permit shall not be assigned, transferred, sublet or sold to any other person without written permission of the Agency.

2626 Albany Avenue– Application (SUP #1275) of the Joy of Food, LLC (Paul Bettan, Applicant) requesting approval of Special Use Permit to operate an accessory, full service, kosher catering business at the Beth El Temple. (Submitted for TPZ receipt on June 1, 2015. Required public hearing scheduled for July 8, 2015.)

After a review of the application and its related exhibits and after consideration of staff technical comments and the public hearing record, the TPZ acted by **unanimous vote (4-0)** (Motion/O'Donnell; Second/Freeman)(O'Donnell seated for Maresca) to **APPROVE** the subject application. During its discussions and deliberations on this matter, the Commission made the following findings and conditions:

1. The proposal meets the finding requirements of Section 177-42A (5a) of the West Hartford Code of Ordinances. In particular:
 - a. The location and size of the use, the nature and intensity of the operations connected with this use, the size of the lot in relation to it and the location of the lot with respect to streets giving access to it are such that it will be in harmony with the appropriate and orderly development of the district in which it is located.
 - b. The kind, location and height of all structures and the nature and extent of the landscaping on the lot are such that the use will not hinder or discourage the appropriate development and use of adjacent properties.
 - c. The parking and loading facilities are adequate and properly located for the proposed use, and the entrance and exit driveways are laid out so as to achieve maximum safety.
2. Pursuant to West Hartford Code of Ordinances Section 177-42A(8), the applicant shall return to the TPZ by July of 2017 for further review and evaluation. The TPZ may consider supplemental conditions of approval if operational concerns are identified.

Motion to move Item #16 - 91 Park Road out of order before Item # 12 Southwest Corner of 1 Charter Oak Boulevard fronting on Talcott Road (north of Chelton Avenue. *Accepted. Motion/O'Donnell; Second/Ahern (O'Donnell seated for Maresca) (Vote: 4-0).*

NEW BUSINESS SCHEDULED FOR PUBLIC HEARING AND DECISION ON JULY 8, 2015:

91 Park Road (Effie's Place Restaurant) – Application (SUP # 1204-R1-15) of Effie's Place Restaurant (John Paindiris, Owner) seeking a revision to the Special Use Permit to allow for acoustical music in the outdoor dining area. The Special Use Permit authorizing the thirty-two (32) seat outdoor dining area was approved on February 6, 2012. (Submitted for TPZ receipt on July 8, 2015 and set directly to public hearing on July 8, 2015.)

After a review of the application and its related exhibits and after consideration of staff technical comments and the public hearing record, the TPZ acted by **unanimous vote (4-0)** (Motion/Ahern; Second/Freeman)(O'Donnell seated for Maresca) to **APPROVE** the subject application. During its discussions and deliberations on this matter, the Commission made the following findings and conditions:

1. The proposal meets the finding requirements of Section 177-42A (5a) of and 177.37.2 of the West Hartford Code of Ordinances.
2. Pursuant to West Hartford Code of Ordinances Section 177-42A(8), the applicant shall return to the TPZ by January 2016 for further review and evaluation. The TPZ may consider supplemental conditions of approval if operational concerns are identified.
3. Plans on file shall guide the appearance and operation of the outdoor dining area.
4. The applicant shall comply with the operational statement submitted as part of the application. The operational statement shall be stripped onto the final plan.
5. This letter of approval shall be stripped onto the final plan.

OLD BUSINESS SCHEDULED FOR PUBLIC HEARING AND DECISION ON JULY 8, 2015:

Southwest Corner of 1 Charter Oak Boulevard fronting on Talcott Road (north of Chelton Avenue) – Application (IWW #1030) of Metropolitan District Commission (MDC) (Dan Hageman, Contact) requesting approval of a map amendment to the Official Inland Wetlands and Watercourses Map of the Town of West Hartford. The proposed amendment is based on an on-site soil survey prepared by a professional soil scientist. (Submitted for IWWA receipt on June 1, 2015. Required public hearing scheduled for July 8, 2015.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments and the public hearing record, the IWWA acted by **unanimous vote (4-0)** (Motion/Ahern; Second/O'Donnell)(O'Donnell seated for Maresca) to **APPROVE** the subject application. During its discussion and deliberation on this matter, the Agency made the following findings:

1. The proposed amendment has been prepared by a certified soil scientist and is based on an on-site soil survey following approved wetland identification techniques.
2. A mylar of the approved wetland map amendment shall be provided to the Town Planning Office for filing in the wetland map files. The approved amendment shall also be submitted in electronic format for inclusion into the Town's Geographic Information System.

Southwest Corner of 1 Charter Oak Boulevard fronting on Talcott Road (north of Chelton Avenue) – Application (IWW #1031) of the Metropolitan District Commission (MDC) (Dan Hageman, Contact) requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities which may have an adverse impact on a wetland and watercourse area. The applicant proposes construction activities related to the South Hartford Conveyance and Storage Tunnel Project which include a drop shaft to the South Tunnel, a connection from the West Hartford consolidation Conduit, an odor control facility, parking area and an emergency generator. (Submitted for IWWA receipt on June 1, 2015. (Submitted for IWWA receipt on June 1, 2015. Determined to be potentially significant and set for public hearing on July 8, 2015.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, and the public hearing record the IWWA acted by **unanimous vote (4 -0)** (Motion/O'Donnell; Second/Freeman) (O'Donnell seated for Maresca) to **CONDITIONALLY APPROVE** the proposed regulated activity and to direct that a wetland permit to be issued. During its discussion and deliberation on this matter, the Agency made the following findings:

**SOUTHWEST CORNER OF 1 CHARTER OAK BOULEVARD FRONTING ON
TALCOTT ROAD (NORTH OF CHELTON AVENUE)
INLAND WETLAND APPLICATION IWW#1031
COMPLIANCE WITH SECTION 10.2 and 10.4
STANDARDS AND CRITERIA FOR DECISION**

The request to conduct certain regulated activities at the Southwest Corner of 1 Charter Oak Boulevard fronting on Talcott Road (north of Chelton Avenue) in West Hartford, Connecticut pursuant to an Inland Wetland and Watercourse application **IWW #1031** should be approved as the Standards and Criteria for

Decision as set forth in the Inland Wetlands and Watercourses Regulations for the Town of West Hartford in Section 10.2 have been favorably met. During its discussions and deliberations on this matter, the agency made the following findings:

- [1.] The environmental impact of the proposed regulated activity on wetlands or watercourses will not be so significant as to warrant the denial of this application. To support this action, Fitzgerald & Haliday's soil scientist, David Laiuppa, has submitted a report dated April 2015.
- [2.] The applicant's purpose for the proposed regulated activity is a valid and useful one which alternatives would cause less or no environmental impact to wetlands or watercourses;
- [3.] The feasible and prudent alternatives to the proposed activity have been analyzed by the applicant and the proposed activity is likely to cause less or no environmental impact to wetlands or watercourses than those alternatives.

[4.] The short-term and long-term impacts of the proposed regulated activity on wetlands or watercourses are not to be so significant as to warrant denial of this application.

[5.] The long term productivity of the wetlands or watercourses will not be damaged by the approval of this application;

[6.] The proposed regulated activity will not cause irreversible and irretrievable loss of wetland or watercourse resources.

[7.] The proposed regulated activity neither threatens nor impacts the safety, health or reasonable use of property; and

[8.] The proposed regulated activity and future activities associated with or reasonably related to, the proposed regulated activities which are made inevitable by the proposed regulated activity will not have significant impacts on wetlands or watercourses outside the area for which the activity is proposed.

In addition the Agency considered measures which would mitigate the impact of the proposed activity and may be imposed as conditions of the permit. Such measures include the availability of further technical improvements or safeguards which could feasibly be added to the plan or action to avoid the reduction of or damage to the wetland's or watercourses natural capacity to support desirable biological life, prevent flooding, supply water, control sedimentation and/or prevent erosion, assimilate wastes, facilitate drainage, and provide recreation and open space. The Agency renders its decision to issue this permit on the following considerations and criteria:

- A. That the natural functions and quality of water in local drainage systems both on and off-site shall be preserved and maintained.
- B. That the overall impact of this development on the environment will be kept to a minimum if the conditions imposed by this permit are carried out by the applicant.
- C. There are no reasonable and prudent alternatives which will allow the same activity to be carried out on the proposed site.
- D. During the period when this permit remains in force, the applicant and the Inland Wetland and Watercourses Agency will be working together in good faith to resolve any matters that may arise relative to the environmental impact on the community due to the activities of the applicant.

The Agency hereby authorizes the applicant to conduct a series of regulated activities on a parcel of land which falls under the jurisdiction of the Inland Wetlands and Watercourse Act of the Connecticut General Statutes and the Inland Wetlands and Watercourses Regulations of the Town of West Hartford. Said parcel of land is located at

Southwest Corner of 1 Charter Oak Boulevard fronting on Talcott Road (north of Chelton Avenue).

This permit is issued and made subject to the following conditions:

1. Plans of record are incorporated by reference in this permit as fully set forth herein.
2. Staging of construction materials or vehicles which are not directly related to work being conducted on-site is prohibited.

3. The applicant shall retain a professional engineer or licensed environmental professional to oversee construction of all improvements and related facilities and certify they have been constructed in accordance with the approved plan.
4. The Town Planner shall provide the IWWA with quarterly updates on the sedimentation and erosion control measure reporting from the Applicant's professional engineer.
5. Town Engineering Division shall receive copies of all material received by IWWA and DEEP.
6. The wetland permit is subject to full compliance with the Town erosion and sediment requirements and the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control, as amended.
7. This IWWA permit approval shall be stripped onto the final set plan.

SPECIAL SITE DEVELOPMENT AND EROSION CONTROL CONDITIONS

An integral requirement of this approval is the early installation and construction of all drainage facilities, and all needed erosion and sedimentation control measures. Prior to the start of any construction, related to on-site improvements, site grading or unit construction, the applicant shall install the needed protective measures and shall continuously maintain such throughout the construction process. The requirement of Article VIII, at Section 177-60 through 177-67 of the Code of Ordinances related to Erosion and Sedimentation Control shall govern all site construction activity.

In addition to the above basic requirements, this permit is issued and made subject to the following conditions:

1. The applicant shall retain a professional engineer to inspect/oversee construction and the installation/maintenance of the sedimentation and control measures. Inspection shall occur weekly and after each rainstorm and during major storm events to determine all sedimentation and erosion control measures are adequately in place and effective. Biweekly inspection reports shall be provided to the Town Planner and Town Engineer.
2. Site disturbance and/or the removal of topsoil will not be permitted until the required siltation/erosion control devices have been installed and inspected by the applicant's engineer. The applicant's engineer shall certify that all erosion and sedimentation controls have been installed according to the approved plan and submit written confirmation to the Town Planner.
3. Disturbed areas shall be limited to the minimum area necessary to complete each phase of construction activity.
4. The stockpiling of materials shall be limited to only that which is generated onsite and shall be limited to location(s) approved by the Town Planner. In addition, any stockpiling of material shall be limited to a maximum of thirty (30) days in duration.
5. No unnecessary encroachments of construction equipment or vehicles shall be permitted in non-construction areas. Vehicular access to undisturbed areas of the site is restricted to the minimum necessary to complete erosion control and drainage systems.
6. Filters or hay bales shall be installed around all catch basins inlet grates.
7. During construction, outlets of the drainage system shall be protected by hay bale filtration screens or splash pools.
8. As soon as rock and earthwork has been completed and established and the major utility installation finished, the base course of asphalt shall be properly installed to prevent further erosion.
9. The accumulated sediment in stilling basins or sediment traps shall be removed on a regular basis.

10. 10) In addition to the measures shown on the plans, additional erosion and sedimentation control measures shall be installed when determined necessary by the Director of Community Services, or his designee.
11. The placement and maintenance of hay bales, sediment screens and other erosion and sediment control measures must meet or exceed specifications set forth in 2002 Connecticut Guidelines for Soil Erosion and Sediment Control, by the Connecticut Council on Soil and Water Conservation.
12. The permit shall expire if not exercised within two (2) years from the date of issuance, or date of final resolution of any legal action challenging this permit.
13. This permit shall not be assigned, transferred, sublet or sold to any other person without written permission of the Agency.
14. The applicant shall retain a professional engineer to oversee the construction of all improvements and related facilities and certify they have been constructed in accordance with the approved plan.

957 New Britain Avenue (Southwest corner of Hillcrest & New Britain) – Application (IWW#1032) Metropolitan District Commission (MDC) (Dan Hageman, Contact) requesting approval of a map amendment to the Official Inland Wetlands and Watercourses Map of the Town of West Hartford. The proposed amendment is based on an on-site soil survey prepared by a professional soil scientist. (Submitted for IWWA receipt on June 1, 2015. Required public hearing scheduled for July 8, 2015.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments and the public hearing record, the IWWA acted by **unanimous vote (4-0)** (Motion/Ahern; Second/Freeman)(O'Donnell seated for Maresca) to **APPROVE** the subject application. During its discussion and deliberation on this matter, the Agency made the following findings:

1. The proposed amendment has been prepared by a certified soil scientist and is based on an on-site soil survey following approved wetland identification techniques.
2. A mylar of the approved wetland map amendment shall be provided to the Town Planning Office for filing in the wetland map files. The approved amendment shall also be submitted in electronic format for inclusion into the Town's Geographic Information System.

957 New Britain Avenue (Southwest corner of Hillcrest & New Britain) – Application (IWW #1033) of the Metropolitan District Commission (MDC) (Dan Hageman, Contact) requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities which may have an adverse impact on a wetland and watercourse area. The applicant proposes construction of structures connecting the Newington and New Britain Consolidation Conduits as well as connecting piping, drop and ventilation shafts and an odor control facility for the South Hartford Conveyance and Storage Tunnel Project. (Submitted for IWWA receipt on June 1, 2015. Determined to be potentially significant and set for public hearing on July 8, 2015.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, and the public hearing record the IWWA acted by **unanimous vote (4 -0)** (Motion/Freeman; Second/Ahern) (O'Donnell seated for Maresca) to **CONDITIONALLY APPROVE** the proposed regulated activity and to direct that a wetland permit to be issued. During its discussion and deliberation on this matter, the Agency made the following findings:

**957 NEW BRITAIN AVENUE (SOUTHWEST CORNER OF HILLCREST & NEW
BRITAIN) INLAND WETLAND APPLICATION IWW#1033**
COMPLIANCE WITH SECTION 10.2 and 10.4
STANDARDS AND CRITERIA FOR DECISION

The request to conduct certain regulated activities at 957 New Britain Avenue (Southwest corner of Hillcrest & New Britain) in West Hartford, Connecticut pursuant to an Inland Wetland and Watercourse application **IWW #1033** should be approved as the Standards and Criteria for Decision as set forth in the Inland Wetlands and Watercourses Regulations for the Town of West Hartford in Section 10.2 have been favorably met. During its discussions and deliberations on this matter, the agency made the following findings:

- [1.] The environmental impact of the proposed regulated activity on wetlands or watercourses will not be so significant as to warrant the denial of this application. To support this action, Fitzgerald & Haliday's soil scientist, David Laiuppa, has submitted a report dated April 2015.
- [2.] The applicant's purpose for the proposed regulated activity is a valid and useful one which alternatives would cause less or no environmental impact to wetlands or watercourses;
- [3.] The feasible and prudent alternatives to the proposed activity have been analyzed by the applicant and the proposed activity is likely to cause less or no environmental impact to wetlands or watercourses than those alternatives.
- [4.] The short-term and long-term impacts of the proposed regulated activity on wetlands or watercourses are not to be so significant as to warrant denial of this application.
- [5.] The long term productivity of the wetlands or watercourses will not be damaged by the approval of this application;
- [6.] The proposed regulated activity will not cause irreversible and irretrievable loss of wetland or watercourse resources.
- [7.] The proposed regulated activity neither threatens nor impacts the safety, health or reasonable use of property; and
- [8.] The proposed regulated activity and future activities associated with or reasonably related to, the proposed regulated activities which are made inevitable by the proposed regulated activity will not have significant impacts on wetlands or watercourses outside the area for which the activity is proposed.

In addition the Agency considered measures which would mitigate the impact of the proposed activity and may be imposed as conditions of the permit. Such measures include the availability of further technical improvements or safeguards which could feasibly be added to the plan or action to avoid the reduction of or damage to the wetland's or watercourses natural capacity to support desirable biological life, prevent flooding, supply water, control sedimentation and/or prevent erosion, assimilate wastes, facilitate drainage, and provide recreation and open space. The Agency renders its decision to issue this permit on the following considerations and criteria:

- A. That the natural functions and quality of water in local drainage systems both on and off-site shall be preserved and maintained.
- B. That the overall impact of this development on the environment will be kept to a minimum if the conditions imposed by this permit are carried out by the applicant.

- C. There are no reasonable and prudent alternatives which will allow the same activity to be carried out on the proposed site.
- D. During the period when this permit remains in force, the applicant and the Inland Wetland and Watercourses Agency will be working together in good faith to resolve any matters that may arise relative to the environmental impact on the community due to the activities of the applicant.

The Agency hereby authorizes the applicant to conduct a series of regulated activities on a parcel of land which falls under the jurisdiction of the Inland Wetlands and Watercourse Act of the Connecticut General Statutes and the Inland Wetlands and Watercourses Regulations of the Town of West Hartford. Said parcel of land is located at **957 New Britain Avenue (Southwest corner of Hillcrest & New Britain).**

This permit is issued and made subject to the following conditions:

1. Plans of record are incorporated by reference in this permit as fully set forth herein.
2. Staging of construction materials or vehicles which are not directly related to work being conducted on-site is prohibited.
3. The applicant shall retain a professional engineer or licensed environmental professional to oversee construction of all improvements and related facilities and certify they have been constructed in accordance with the approved plan.
4. The Town Planner shall provide the IWWA with quarterly updates on the sedimentation and erosion control measure reporting from the Applicant's professional engineer.
5. Town Engineering Division shall receive copies of all material received by IWWA and DEEP.
6. The wetland permit is subject to full compliance with the Town erosion and sediment requirements and the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control, as amended.
7. This IWWA permit approval shall be stripped onto the final set plan.

SPECIAL SITE DEVELOPMENT AND EROSION CONTROL CONDITIONS

An integral requirement of this approval is the early installation and construction of all drainage facilities, and all needed erosion and sedimentation control measures. Prior to the start of any construction, related to on-site improvements, site grading or unit construction, the applicant shall install the needed protective measures and shall continuously maintain such throughout the construction process. The requirement of Article VIII, at Section 177-60 through 177-67 of the Code of Ordinances related to Erosion and Sedimentation Control shall govern all site construction activity.

In addition to the above basic requirements, this permit is issued and made subject to the following conditions:

1. The applicant shall retain a professional engineer to inspect/oversee construction and the installation/maintenance of the sedimentation and control measures. Inspection shall occur weekly and after each rainstorm and during major storm events to determine all

- sedimentation and erosion control measures are adequately in place and effective. Biweekly inspection reports shall be provided to the Town Planner and Town Engineer.
2. Site disturbance and/or the removal of topsoil will not be permitted until the required siltation/erosion control devices have been installed and inspected by the applicant's engineer. The applicant's engineer shall certify that all erosion and sedimentation controls have been installed according to the approved plan and submit written confirmation to the Town Planner.
 3. Disturbed areas shall be limited to the minimum area necessary to complete each phase of construction activity.
 4. The stockpiling of materials shall be limited to only that which is generated onsite and shall be limited to location(s) approved by the Town Planner. In addition, any stockpiling of material shall be limited to a maximum of thirty (30) days in duration.
 5. No unnecessary encroachments of construction equipment or vehicles shall be permitted in non-construction areas. Vehicular access to undisturbed areas of the site is restricted to the minimum necessary to complete erosion control and drainage systems.
 6. Filters or hay bales shall be installed around all catch basins inlet grates.
 7. During construction, outlets of the drainage system shall be protected by hay bale filtration screens or splash pools.
 8. As soon as rock and earthwork has been completed and established and the major utility installation finished, the base course of asphalt shall be properly installed to prevent further erosion.
 9. The accumulated sediment in stilling basins or sediment traps shall be removed on a regular basis.
 10. In addition to the measures shown on the plans, additional erosion and sedimentation control measures shall be installed when determined necessary by the Director of Community Services, or his designee.
 11. The placement and maintenance of hay bales, sediment screens and other erosion and sediment control measures must meet or exceed specifications set forth in 2002 Connecticut Guidelines for Soil Erosion and Sediment Control, by the Connecticut Council on Soil and Water Conservation.
 12. The permit shall expire if not exercised within two (2) years from the date of issuance or date of final resolution of any legal action challenging this permit.
 13. This permit shall not be assigned, transferred, sublet or sold to any other person without written permission of the Agency.
 14. The applicant shall retain a professional engineer to oversee the construction of all improvements and related facilities and certify they have been constructed in accordance with the approved plan.

TOWN COUNCIL REFERRALS AND REQUEST FOR REPORT:

Talcott Road (1 Charter Oak Boulevard) – Application (SDD #144) on behalf of the Metropolitan District Commission (MDC), the contract purchaser under agreement with Triumph Engine Control Systems, LLC of an approximately 67,977 sq. ft. parcel fronting on Talcott Road (1 Charter Oak Boulevard) requesting designation of a new special development district, a change to the current underlying zoning district from Multifamily Residential District (RM-3) to a Restricted Industrial District (IR), and the approval to construct a Tunnel Access Shaft and Air Treatment Facility in conjunction with the South Hartford Conveyance and Storage Tunnel Project. (Town Council receipt on May 26, 2015. Town Council public hearing scheduled for July 21, 2015. TPZ receipt on July 8, 2015.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, the TPZ acted by **unanimous vote (4-0)** (Motion/O'Donnell;

Second/Ahern)(O'Donnell seated for Maresca) to **RECOMMEND APPROVAL** of the subject application.

During its discussion and deliberation on this matter, the Commission made the following findings which it has prepared for the Council's consideration:

1. The Commission encourages the Applicant to continue to work with the Design Review Advisory Committee on improving the architecture of the enclosure structure.
2. The Commission finds the proposed rezoning and Special Development District designation to be consistent with the Plan of Conservation and Development.

New Britain Avenue and Hillcrest Avenue - Resolution (Van Winkle) authorizing Conveyance of Land at New Britain Avenue and Hillcrest Avenue and Easements through Town-owned property at 17 Brixton Street, 774 Oakwood Avenue and 784 Oakwood Avenue to the Metropolitan District Commission (MDC). (Town Council receipt on May 26, 2015. Town Council public hearing on July 21, 2015. TPZ receipt on July 8, 2015.)

After a detailed review of the resolution, the TPZ acted by **unanimous vote (4-0)** (Motion/Ahern; Second/Freeman/) (O'Donnell seated for Maresca) to **RECOMMEND APPROVAL** of the subject resolution.

Ordinance (VanWinkle) Revising the Unit Density Calculation for Mixed-Use Developments - Proposed amendment to Section 177-11, Dwellings in Business Districts (Town Council receipt on May 26, 2015. Town Council public hearing on July 21, 2015. TPZ receipt on July 8, 2015.)

After a detailed review of the ordinance, the TPZ acted by **unanimous vote (4-0)** (Motion/Freeman; Second/O'Donnell) (O'Donnell seated for Maresca) to **RECOMMEND APPROVAL** of the subject ordinance. The Commission finds that the proposed ordinance change is consistent with Plan of Conservation and Development's goal of promoting Smart Growth.

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